

1 **PINNOCK & WAKEFIELD, A.P.C.**

2 Michelle L. Wakefield, Esq. Bar #: 200424  
3 David C. Wakefield, Esq. Bar #: 185736  
3033 Fifth Avenue, Suite 410  
3 San Diego, CA 92103  
4 Telephone: (619) 858-3671  
4 Facsimile: (619) 858-3646

5 Attorneys for Plaintiffs

6

7 **UNITED STATES DISTRICT COURT**

8 **SOUTHERN DISTRICT OF CALIFORNIA**

9

10 **OUTERBRIDGE ACCESS ASSOCIATION,  
SUING ON BEHALF OF DIANE CROSS;  
and DIANE CROSS, An Individual,**

11 **Plaintiffs,**

12 **v.**

13

14 **HOME DEPOT U.S.A., INC. d.b.a.  
THE HOME DEPOT #6679; MIRA MESA  
MARKETPLACE WEST, LLC; AND DOES  
1 THROUGH 10, Inclusive,**

15

16 **Defendants.**

17 **Case No.: 08cv0046 JM (JMA)**

18 **PROOF OF SERVICE VIA ECF**

19 [Fed.R.Civ.P. 6(e) ]

20

21 **STATE OF CALIFORNIA, COUNTY OF SAN DIEGO**

22

23 I am employed in the County of San Diego, State of  
24 California. I am over the age of 18 and not a party to the  
25 within action; my business address is 3033 Fifth Avenue, Suite  
26 410, San Diego, California, 92103.

27

28 On this date, I served the following document(s) described  
as **NOTICE OF MOTION AND MOTION TO AMEND THE ORIGINAL COMPLAINT;**

1 **PLAINTIFFS POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFFS'**  
2 **MOTION TO AMEND THE ORIGINAL COMPLAINT; DECLARATION OF MICHELLE**  
3 **L. WAKEFIELD IN SUPPORT OF PLAINTIFFS' MOTION TO AMEND THE**  
4 **ORIGINAL COMPLAINT; and [PROPOSED] FIRST AMENDED COMPLAINT** on all  
5 Defendants in this action:

6 **Gregory F. Hurley, Esq.**  
7 **Alana R. Cho, Esq.**  
8 **GREENBERG TRAURIG, LLP**  
9 **3161 Michelson Drive, Suite 1000**  
Irvine, California 92612  
Telephone: (949) 732-6500  
Facsimile: (949) 732-6501  
E-mail Address: [hurleyg@gtlaw.com](mailto:hurleyg@gtlaw.com); [choa@gtlaw.com](mailto:choa@gtlaw.com)  
10 **ATTORNEY FOR DEFENDANT HOME DEPOT U.S.A., INC. d.b.a. THE HOME**  
11 **DEPOT #6679**

12 **Timothy G. McNulty, Esq.**  
13 **MILBERG & DE PHILLIPS, P.C.**  
14 **2163 Newcastle Avenue, Suite 200**  
Cardiff by the Sea, California 90027  
15 **Telephone: (760) 943-7103**  
Facsimile: (760) 943-6750  
16 **E-mail Address: [tmcnulty@surflaw.net](mailto:tmcnulty@surflaw.net)**  
17 **ATTORNEY FOR DEFENDANT MIRA MESA MARKETPLACE WEST, LLC**

18  
19 X **BY ELECTRONIC SERVICE TRANSMISSION** via the United  
20 States District Court, Southern Division of California, Case  
21 Management/Electronic Case Files, Filing System. I served a copy  
22 of the above listed document(s) to the e-mail addresses of the  
23 addressee(s) by use of email as identified and maintained  
24 therein.

25  
26 AND/OR BY:

27  placing  the original  a true copy  
28 thereof enclosed in sealed enveloped addressed as stated above.

BY MAIL: I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid, mailed at San Diego, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

**BY FACSIMILE TRANSMISSION:** From FAX No. (619) 858-3646 to the facsimile numbers listed above on the mailing list. The facsimile machine I used complied with Rule 6 (e), and no error was reported by the machine.

**STATE:** I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

X **FEDERAL:** I declare that I am employed in the office of a member of the Bar of this Court, at whose direction this service was made.

**EXECUTED** on March 5, 2008, at San Diego, California.

  
Angela Payne